

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF BEAVERTON, OREGON

IN THE MATTER OF A REQUEST FOR)	
)	ORDER NO. 1769
APPROVAL OF A LAND DIVISION TO)	
)	LD 2004-0028
CREATE SEVEN RESIDENTIAL LOTS)	
)	ORDER APPROVING
AND THREE TRACTS WITH ASSOCIATED))	
)	REQUEST WITH
PUBLIC AND PRIVATE IMPROVEMENTS,))	
)	CONDITIONS
(WASHINGTON COMMONS PUD), JOHN)	
)	
KLEIN AND DAVID NIELSEN)	
)	
APPLICANTS)	

This matter came before the Planning Commission on December 1 and December 15, 2004, on a request for Land Division approval to create seven residential lots and three tracts with associated public and private improvements. The proposed site is located at the westerly terminus of SW Crestwood Drive, and is more specifically described as Tax Lots 101 on Washington County Assessor's Map 1S1-27AA.

Pursuant to Ordinance 2050 (Development Code) Sections 50.15.2 and 50.45, the Planning Commission (Commission) conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission adopts the following supplemental finding in support of the final action, in response to a key issue of concern, as identified herein.

Revision of the Proposal. To address the Commission's concern with the applicant's proposal to include reductions to the parent parcel setback to meet the open space requirements of the PUD, the applicant requested a continuance of the hearing to revise their proposal. The applicant's amended proposal deleted Lot 7, making that area additional open space. The two open space tracts are consolidated into one. In reviewing the amended plan set, staff determined that with the removal of Lot 7, the proposal will meet minimum density requirements of the zoning district. The amended proposal will also meet the PUD's open space requirements without Flexible Setback approval. However, with the revision to the subdivision, modification to some of the conditions would be necessary, as stated in the December 15, 2004 memorandum. The Commission concurred and revised four conditions accordingly.

The Design Of The Guest Parking. Staff raised a concern that the two guest parking spaces created at the eastern property line of the subject site are design at an angle which would not be efficient. Staff recommended a condition that the parking spaces are at a 90 degree angle and clearly delineated, which the applicant agreed to and the Commission concurred.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated November 24, 2004, the memorandum dated December 15, 2004, and the supplemental findings contained herein, as applicable to the approval criteria contained in Sections 40.03 and 40.45.15.3.C of the Development Code.

IT IS HEREBY ORDERED that LD2004-0028 is approved, based on the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts and findings and conclusions found in the Staff Report and supplemental memorandum as identified herein, subject to the following conditions:

Prior to issuance of the site development permit, the applicant shall:

1. Contract with a professional engineer (or professional architect if allowed by the City Engineer) to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4303 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (February 2004, Resolution and Ordinance 2004-009), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
2. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4303; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
3. Have the ownership of the subject property guarantee all public improvements, storm water management (quality and quantity) facilities, site grading, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
4. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)

5. Have obtained the City Building Official's approval of the private plumbing plan for facilities regulated under the Uniform Plumbing Code with Oregon Amendments. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation (ODOT) for work within, storm drainage connections, and/or construction access to Highway 217. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans. (Site Development Div./JJD)
8. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction and service extensions. (Site Development Div./JJD)
9. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections. (Site Development Div./JJD)
10. Submit a completed 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. (Site Development Div./JJD)
11. Submit a detailed water supply analysis (Fire Flow) to the City Building Official in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue (for more information, see http://www.tvfr.com/Dept/fm/brochures/fire_flow_and_hydrant_requirements.pdf). If needed, this analysis shall include an actual flow test and analysis by the professional engineer meeting the standards set by the City Engineer. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
12. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
13. Submit to the City a certified impervious surface determination of the proposed private streets and common areas prepared by the applicant's engineer, architect, or surveyor. The certification shall

consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the entire preliminary plat and for each new common area and tract. (Site Development Div./JJD)

14. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas and private streets. (Site Development Div./JJD)
15. Submit a copy of issued permits or other approvals if needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within a jurisdictional wetland). (Site Development Div./JJD)
16. Provide plans showing a Stormwater Management stormfilter vault (for treatment of the site's piped surface water runoff) or stormfilter catch basins with a minimum equivalent of 3.0 cartridges per impervious acre for the site and designed per manufacturer's specifications. Additionally, provide plans for full winter detention per City Standard or per ODOT direction whichever is greater for this site. (Site Development Div./JJD)
17. Provide plans for street lights (Option C unless otherwise approved by the City Operations and Maintenance Director for public streets, privately owned for private streets) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
19. Provide a revised grading plan showing that the grade changes at the northern property line of the subject site terminate before the property line. (Development Services Div./SNK)
20. Obtain approval of the Conditional Use and Flexible Setback applications prior to the issuance of any Site Development permit. (Development Service Div./ SNK)
21. Provide a revised Site Plan showing the parking spaces in Tract B are designed with 90 degree angles and that the spaces are to be delineated with paint or other markings approved by the City Engineer. (Development Service Div./ SNK)

Prior to approval of the final plat, the applicant shall:

22. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)

23. Have constructed the site development improvements, as determined by the City Engineer, sufficient to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
24. Submit a revised plat map showing a minimum 15-foot easement, from the eastern property line within the area of the storm water line. (Development Service Div./ SNK)
25. Grant on the final plat submitted for City signature a utility maintenance easement on proposed Lots 4, 5, and 6 a minimum width of 15 feet. (Development Service Div./ SNK)
26. Provide a street fee of \$200.00 per tree based on trees to be installed, by the City, every 30 lineal feet of road frontage. (Development Service Div./ SNK)
27. Provide a final plat that is fully dimensioned and indicate the square footage of all lots and tracts. Plat notes shall state the ownership and maintenance responsibilities of all tracts. The location of access restriction strips, as approved by the City, may be described as a plat note or shown on the plat, as determined by the County Surveyor. (Development Service Div./ SNK)
28. Complete a Land Division Agreement to provide assurance that all the conditions of approval shall be met. (Development Service Div./ SNK)
29. Provide written assurance to the Planning Director that each and every lot is buildable without additional variances, under City Ordinances effective as of the date of preliminary plat approval. (Development Service Div./ SNK)
30. Pay all City liens, taxes and assessments, or re-apportion same to individual lots. Any liens, taxes or assessments levied by Washington County shall be paid to the County according to their procedures. (Development Service Div./ SNK)
31. Submit a scaled, reduced paper copy of the plat, at a size of 8.5 x 11 inches. (Development Service Div./ SNK)

Prior to building permit issuance, the applicant shall:

32. Pay a storm water system development charge (overall system conveyance) for each new ESU. (Site Development Div./JJD)
33. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

34. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
35. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, except high voltage lines (>57kV). (Site Development Div./JJD)
36. Post “no parking” signs on the new proposed internal streets and the cul-de-sac in accordance with a street sign plan approved by the City Traffic Engineer.
37. Provide revised building plans showing the driveway length of Lot 6 either less than five feet or greater than 18.5 foot from the property line to the garage door. (Development Services Div./SNK)

Prior to final inspection of any building permit, the applicant shall:

38. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
39. Have the landscaping completely installed, vegetative cover established, or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)

Prior to release of performance security, the applicant shall:

40. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
41. Provide an additional performance security for 100 percent of the cost of twice-a-year (6-month interval) cleaning, maintenance, and filter recharge/replacement by Stormwater Management, Inc., for the StormFilter vault’s cartridges for a two-year period, as determined by the City Utilities Engineer. Alternatively, provide evidence satisfactory to the City Utilities Engineer of a pre-paid service contract with Stormwater Management, Inc., for maintenance of the StormFilters consisting of cartridge

replacement and sediment removal per manufacture's recommendations for a two year period from the date of performance acceptance of each respective system. (Site Development/JJD)

Motion **CARRIED** by the following vote:

AYES: Winter, Bliss, Johansen, Pogue, and Maks.
NAYS: None.
ABSTAIN: None.
ABSENT: Barnard and DeHarpport.

Dated this _____ day of _____ 2004.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 1769, an appeal must be filed with the City of Beaverton Recorder's Office by no later than 5:00 p.m. on _____, 2005.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

SAMBO KIRKMAN
Associate Planner

DAN MAKS
Vice-Chairman

STEVEN A. SPARKS, AICP
Development Services Manager